

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Attorney Docket No. JWC03-01
)	
Joseph W. Carlson)	Paper No. 5
)	
Serial No: 10/765,234)	Group Art Unit: 2837
)	
Filed: 01/26/2004)	Examiner: Qin, Jianchun
)	

For: **TEXTURED SOUND GENERATING PANELS HAVING INCREASED
EFFICIENCY IN CONVERTING VIBRATIONAL ENERGY TO SOUND WAVES**

July 28, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION (MPEP 711.03© II AND 37 CFR §1.181**

In response to the Notice of Abandonment dated January 28, 2008, the applicant respectfully petitions that the holding of abandonment of the referenced application, based on failure to submit the issue fee and publication fee therefore, be withdrawn.

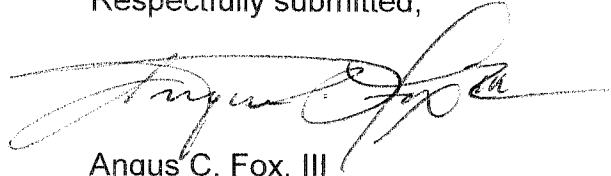
The undersigned attorney for the applicant hereby avers that he never received the Notice of Allowance and Fee(s) Due for the referenced application.

On September 7, 2007, an Amendment under 37 C.F.R. §1.111 was mailed to the USPTO with the expectation that a Notice of Allowance would be likely be issued in due course. The next communication that was received by the undersigned attorney was the Notice of Abandonment dated January 28, 2008.

The undersigned attorney employs a single docket for all patent and trademark work. A portion of the docket due dates for the period September 8, 2007 to January 31, 2008 is attached hereto. No entry was ever made for fees due for the present

application. Had the Notice of Allowance been received, the undersigned would have contacted the inventor by telephone to relay the good news. However, as the Notice of Allowance and Fee(s) Due notice was never received, the applicant was never contacted. Since receiving the Notice of Abandonment for the referenced application, the undersigned attorney has reviewed every active file in his office. He is certain that the Notice of Allowance was never received.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Angus C. Fox, III", with a long horizontal flourish extending to the right.

Angus C. Fox, III
Attorney of Record
Registration No. 31,828